

Introduced \_\_\_\_\_  
Public hearing \_\_\_\_\_  
Council action \_\_\_\_\_  
Executive action \_\_\_\_\_  
Effective date \_\_\_\_\_

## County Council of Howard County, Maryland

2010 Legislative Session

Legislative day # 5

### BILL NO. 29 - 2010

Introduced by:  
Greg Fox, Councilmember

**An Act** amending the uncodified Section 2. of Council Bill 9-2010 to change one of the conditions applying to the adjustment of the General Plan 2000's Planned Service Area boundary for water and sewer service to include 221 acres of the historic Doughoregan property; and generally relating to Council Bill 9-2010.

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Introduced and read first time \_\_\_\_\_, 2010. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Stephen M. LeGendre, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2010 and concluded on \_\_\_\_\_, 2010.

By order \_\_\_\_\_  
Stephen M. LeGendre, Administrator to the County Council

This Bill was read the third time \_\_\_\_\_, 2010 and Passed\_\_\_\_, Passed with amendments\_\_\_\_, Failed\_\_\_\_.

By order \_\_\_\_\_  
Stephen M. LeGendre, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_\_\_ day of \_\_\_\_\_, 2010 at \_\_\_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Stephen M. LeGendre, Administrator to the County Council

Approved/vetoed by the County Executive on \_\_\_\_\_, 2010.

\_\_\_\_\_  
Ken Ulman, County Executive

NOTE; [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law.  
~~Strikeout~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be it enacted** by the County Council of Howard County, Maryland, that  
2 Section 2 of the uncodified section of Council Bill 9-2010 is hereby amended to read as  
3 follows:

4  
5 **Section 2. Be it further enacted** by the County Council of Howard County, Maryland,  
6 that the provisions of this Act providing for the expansion of the Planned Service Area  
7 shall be null and void and the Planned Service Area as it relates to this Property, shall  
8 revert to the boundary area in place prior to this Act approving the expansion without  
9 any additional action of the County Council if:

10 (1) A Developer Rights and Responsibilities Agreement is not executed within 215  
11 days from the effective date of this Act with terms and conditions including, but  
12 not limited to, provisions for:

13 (a) the agricultural preservation of a majority of the Property;

14 (b) [[the permanent preservation of historic structures on the property,  
15 including the manor house and historic outbuildings;]] preventing further  
16 subdivision of the historic core that includes the manor house and historic  
17 buildings;

18 (c) residential development, limited in both the number of units and the  
19 number of acres to be developed;

20 (d) a methodology and / or commitment to honor Council Resolution 43-  
21 1989's termination of Burnside Drive,

22 (e) the donation of land to Howard County for park land to expand Kiwanis-  
23 Wallis Park,

24 (f) a methodology to evaluate alternatives to assure wastewater treatment is  
25 provided to minimize increases in flow and the nutrient concentration in  
26 flow sent to the Little Patuxent WRP, and that the selected solution  
27 addresses and considers the impact on County residents and the County  
28 with respect to odor, transportation of sludge, capital costs, and operating  
29 costs, or funding of a fair share contribution for sewage treatment and  
30 disposal for systemic reduction of flow and nutrient concentration as  
31 directed by the County,

32 (g) ensuring funding for the restoration and ongoing maintenance to the

*manor house and historic outbuildings; or*

(2) *The Property is not rezoned to be R-ED within 1 year from the effective date of this Act; The Property is not rezoned to result in a density that is equal to or less than the density allowed in R-ED zoning within 1 year from the effective date of this Act; or*

(3) *The connection is not made within 10 years from the effective date of this Act.*

***Section 2. Be it further enacted*** by the County Council of Howard County, Maryland, that the provisions of this Act shall apply beginning June 8, 2010.

**Section 3.** *Be it further enacted* by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.